

REPORT TO THE LEGISLATURE
Pursuant to MCL 791.240(3)
Parolees Returned for Violations Involving Alcohol or Controlled Substances
April 1, 2007

Section 3 of Public Act 487 of 2006:

“Not later than April 1 of each year, the department shall report to the legislature on the number of parolees who are returned to state correctional facilities for a violation of parole involving the use of alcohol or a controlled substance during the preceding calendar year. The report shall specify the number of parolees who are returned to a state correctional facility after 1 such violation, 2 such violations, 3 such violations, 4 such violations, and 5 or more violations.”

Methodology

Actual returns to prison for alcohol or controlled substance use were determined from data for June through December, 2006. The number of returns for alcohol or substance use for January-May 2006 was estimated because violation charges were not part of the Offender Management Network Information (OMNI) data base system prior to June 2006.

The reported data are limited to parolees returned to prison for Parole Technical Violations involving alcohol or substance abuse **use** or New Sentences for crimes involving alcohol or controlled substance use, e.g. OUIL, while on parole. Parolees returned for offenses involving alcohol or controlled substance use were included, even if they had one of more sentences for other crimes as well.

Technical Violations of alcohol or controlled substance use were limited to Special Condition 2.0 and Standard Condition 4.0 of parole. Special Condition 2.0 prohibits alcohol use, so violations of this condition code were consequently included in the count without further review. Standard Condition 4.0 prohibits several types of conduct including committing new crimes and use of controlled substances. Thus, for Standard Condition 4.0 violations, the specific violation narrative was reviewed on each case to identify violations that indicated use of alcohol or controlled substances. Parole Violators were included in this selection if the violation narrative indicated alcohol or substance use even if they also had other types of technical violations or new crimes. Technical violation charges for possession of controlled substances or possession of controlled substance paraphernalia and violations that indicated that controlled substances were in the “area of control” of the parolee were not included in this count.

Results

As shown in Table 1, a total of 5,182 Parole Violators were returned to prison for either a Technical Violation or with a New Sentence in Calendar 2006.

During the period June-December 2006, 425 parolees were returned to prison for alcohol or substance use. It is estimated that 357 were returned for use in January-May 2006. Thus, the estimated total number of returns for alcohol or controlled substance use is 782 for all of Calendar 2006.

Table 1: Number and Percent of Returns to Prison with Alcohol or Drug Use

	Total Technical and New Sentence Returns	Technical and New Sentence Returns with Alcohol/Drug Use	
	Number	Number	Percent
June-December 2006	2,815	425	15%
January-May 2006	2,367	357 (est.)	15%
2006 Total	5,182	782 (est.)	15%

Table 2 displays the number of parolees returned to state correctional facilities for violations of parole involving the use of alcohol or controlled substances. Table 2 shows the actual numbers and percents of prior positive substance abuse tests from June through December, estimates for January through May, and total estimates for calendar year 2006. These figures include the event(s) which directly resulted in return to prison as well as prior events during the parole that were addressed by other interventions (e.g. Inpatient or Outpatient Substance Abuse Treatment).

For example, if a parolee had two prior positive tests and was returned following the next positive, they would be in the “Three” column of Table 2. Table 2 shows that 41.5% of the Parole Violators who returned to prison for use of alcohol or drugs had no prior positive substance abuse tests, but likely had violations of other parole conditions also. However, 58.5% of the Parole Violators who returned for use had at least one prior positive substance abuse test prior to their return. Over one in six (16.8%) had five or more prior positive tests before being returned to prison. There is a response to every violation of parole, but return to prison is most often not the first option.

Table 2: Number of Prior Positive Substance Abuse Tests for Parolees Returned to Prison for Alcohol or Controlled Substance Use.

	None*		One		Two		Three		Four		Five or More		Total with One or More	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
June-December Actual	177		70		49		30		28		71		425	
January-May Estimated	147		59		42		25		24		60		357	
2006 Total Estimated	324	41.5%	129	16.5%	91	11.6%	55	7.0%	52	6.6%	131	16.8%	782	58.5%

* The nature of the alcohol/substance violation is something other than a positive test result.

In many cases, the alcohol or drug use is part of a larger “package” of violations or crimes that led to the return to prison. In such cases, it is not surprising that there is not an extensive history of positive test results prior to the return.